

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

LILLIAN AINSLEY,

Plaintiff,

DOCKET NO:

v.

LOWES HOME CENTERS, LLC, EAST
COAST FLOORING, and SYNCHRONY
BANK,

Defendants.

NOTICE OF REMOVAL

TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Defendant, Lowe's Home Centers, LLC. ("Lowe's"), pursuant to the provisions of 28 U.S.C. § 1446(a), hereby respectfully files this Notice of its removal of this action to the United States District Court, District of Maine, from the Superior Court, in and for Aroostook County. In support of this Notice of Removal, Lowe's states as follows:

1. Lowe's is a Defendant in a civil action brought in the Superior Court of the State of Maine, Aroostook County, captioned Lillian Ainsley v. Lowe's Home Centers, LLC, East Coast Flooring, and Synchrony Bank, Docket No. CARSC-CV-2024-00010 (the "State Court Action").

2. On or about March 27, 2024, Lowe's was served with a copy of the Summons and Complaint in the State Court Action. Pursuant to 28 U.S.C. § 1446(a), Lowe's is filing herewith a copy of the Summons and Complaint served on Lowe's by Plaintiff (Exs. A & B).

3. Lowe's has not yet filed an Answer to the Complaint in the State Court Action. This Notice of Removal is filed within thirty (30) days after receipt by Lowe's of a copy of the

initial pleading setting forth the claim upon which such action or proceeding is based, as required by 28 U.S.C. § 1446(b).

4. The State Court Action is a suit of a wholly civil nature brought in the Superior Court of the State of Maine, in and for Aroostook County. The United States District Court for the District of Maine is therefore the proper forum and venue to which this action may be removed under the provisions of 28 U.S.C. §§ 101 and 1441(a).

5. This District Court has original jurisdiction to entertain this action pursuant to 28 U.S.C. § 1332(a) because the parties to this case are citizens of different states, and because the Plaintiff has alleged damages that may exceed the sum of \$75,000.00, exclusive of interest and costs:

- a. Plaintiff resides and is domiciled in San Diego, San Diego County, California;
- b. Lowe's maintains a principal place of business in North Carolina
- c. Upon information and belief, co-Defendant East Coast Flooring maintains a principal place of business in Connecticut;
- d. Upon information and belief, co-Defendant Synchrony Bank maintains a principal place of business in Connecticut;
- e. While Lowe's contests the scope and extent of Plaintiff's alleged damages, Plaintiff has alleged damages that may exceed \$75,000;

6. Removal of this action is neither prohibited by 28 U.S.C. §1445 nor §1441(b)(2). Pursuant to 28 U.S.C. § 1446(d), Lowe's will give written notice of this Notice of Removal to all parties and will file a copy of this Notice of Removal with the clerk of the Superior Court of the State of Maine, in and for Aroostook County promptly after it has filed this Notice of Removal with this Court.

Respectfully submitted,

/s/ Brian A. Suslak

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LOWES HOME CENTERS, LLC